

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

*Plaintiff,*

*v.*

CAUSE NO. 3:21-CR-88-CWR-LGI

JOSHUA RASHAD BROWN,

*Defendant.*

**ORDER**

Before the Court is Defendant Joshua Rashad Brown's *Motion Requesting a Judicial Recommendation*. Docket No. 26. For the following reasons, Brown's motion is denied.

On September 24, 2021, Brown pleaded guilty to one count of possession with intent to distribute 50 grams or more of methamphetamine, in violation of 21 U.S.C. § 841(a)(1). Docket No. 17. On January 11, 2022, this Court sentenced Brown to 120 months in prison and five years of supervised release. Docket No. 24. Brown is currently serving his sentence at Federal Correctional Complex Yazoo City ("FCC Yazoo") and is scheduled to be released on February 11, 2030. He will become eligible for home detention on August 11, 2029.

Having served approximately 11% of his total sentence, Brown filed this present motion *pro se* seven months after sentencing. Docket No. 26. Pursuant to 18 U.S.C. § 3621, Brown asks this Court to issue a recommendation to the Bureau of Prisons ("BOP") that

he serve the final 12 months of his sentence on home confinement. *Id.* at 1. Brown bases his request on his positive conduct, noting his graduation from recidivism-reducing programs and self-help improvement courses. *Id.* Brown contends that serving the final 12 months of his sentence on home confinement will enable him “to be gainfully employed,” “support [his] family,” “care for [his] ailing grandmother,” “receive the proper counseling unavailable to [him] at the BOP,” and “to begin a new life.” *Id.* at 2.

On review, the Court declines to address Brown’s request that he be allowed to serve the final 12 months of his sentence on home confinement. “[S]uch requests are properly directed to the Bureau of Prisons.” *United States v. Sneed*, 63 F.3d 381, 389 n.6 (5th Cir. 1995). Other district courts have concluded the same. *See United States v. Tevino*, Cr. No. C-01-324(1), 2010 WL 3703663, at \*1 (S.D. Tex. Sept. 14, 2010) (“The discretion to designate an appropriate placement remains with the BOP.”). While the Court commends Brown for his good behavior and enrollment in several programs at FCC Yazoo, he should direct his request to the BOP.

For the foregoing reasons, the *Motion Requesting a Judicial Recommendation* is denied without prejudice.

**SO ORDERED**, this the 11th day of April, 2023.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE